

1 ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
2 MICHAEL J. CARROLL (ST. BAR #50246)
220 Montgomery Street, Suite 303
3 San Francisco, CA 94104
Telephone: (415) 392-5431
4 Facsimile: (415) 392-1978

5 Attorneys for Plaintiffs

6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 **BOARD OF TRUSTEES OF THE NORTHERN**)
CALIFORNIA FLOOR COVERING, et al.)

NO. C 07 3207 JL

12)
13 **Plaintiffs,**)

14 **vs.**)

15 **BEVIL'S FLOOR SERVICE, INC., a California**)
corporation)

DECLARATION OF MICHAEL
J. CARROLL IN SUPPORT OF
MOTION FOR ENTRY OF
DEFAULT

16)
17 **Defendants.**)
_____)

18 I, MICHAEL J. CARROLL, declare:

19 1. I am duly admitted to practice law before all of the courts of the State of California
20 and in the United States District Court, Northern District of California. I am one of the attorneys for
21 plaintiff in this action. I have personal knowledge of the facts stated herein and if called as a witness,
22 I could competently testify as follows:

23 2. The complaint and summons in this action were substitute served on defendant,
24 BEVIL'S FLOOR SERVICE, INC., a California corporation, on July 9, 2007 as appears from the
25 proofs of service of said summons e-filed with the Court.

26 3. The time within which the defendants may answer or otherwise move as to the
27 complaint has expired, that defendants have not answered or otherwise moved and that the time for
28 defendants to answer or otherwise move has not been extended.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on December 5, 2007 at San Francisco, California.

3
4 /s/ Michael J. Carroll
MICHAEL J. CARROLL
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On December 5, 2007 I served the within **MOTION FOR ENTRY OF DEFAULT, DECLARATION OF MICHAEL J. CARROLL IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT and PROPOSED NOTICE OF ENTRY OF DEFAULT** on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

Bevil's Floor Service
533 Burke Street
San Jose, CA 95112

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2007 at San Francisco, California.

/s/ Sharon Eastman